

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 7616

BILL NUMBER: HB 1663

DATE PREPARED: Jan 6, 1999

BILL AMENDED:

SUBJECT: Nurse aide registry.

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill adds ambulatory outpatient surgical centers, home health agencies, hospice programs, and hospitals to the health care facilities that may not employ an individual convicted of a certain crime or who has committed an act that has been entered into the State Nurse Aide Registry. The bill allows the State Department of Health to impose a fine not to exceed \$5,000 for a violation of a provision of the health facilities law. It requires that if a health care facility has knowledge of a court action against a health care facility employee that would indicate an unfitness to serve as a health service employee, the health care facility must report the information to the State Nurse Aide Registry or the appropriate licensing authority. It allows the State Department of Health to adopt rules. Repeals a definition.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues: This bill prohibits a person who has abused, neglected, or mistreated a patient, or misappropriated a patient's property and had a finding entered into the State Nurse Aide Registry from being employed in a health care facility. If the person has knowingly or intentionally applied for a job as a nurse aide or other unlicensed employee the person commits a Class A Infraction. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class A Infraction is \$10,000 which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

The bill allows the State Department of Health to impose a fine of not more than \$5,000 for a violation of the health facilities law. These fines would be deposited in the state General Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.(2) A \$3 fee would be assessed, and if collected would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: State Department of Health.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: